

Kentucky Gazette.

"True to his charge—he comes, the Herald of a noisy world; News from all nations, lumb'ring at his back."

D. BRADFORD Editor.

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PRESIDENT'S MESSAGE.

Fellow-Citizens of the Senate,
and House of Representatives:

I congratulate you on the favorable circumstances in the condition of the country, under which you reassemble for the performance of your official duties. Though the anticipations of an abundant harvest have not been everywhere realized, yet, on the whole, the labors of the husbandman, are rewarded with a bountiful return; industry prospers in its various channels of business and enterprise; general health again prevails through our vast diversity of climate; nothing threatens from abroad, the continuance of external peace, nor has any thing at home impaired the strength of those fraternal and domestic ties which constitute the only guaranty to the success and permanency of our happy Union, and which, formed in the hour of peril, have hitherto been honorably sustained through every vicissitude in our national affairs.—These blessings, which evince the care and beneficence of Providence, call for our devout and fervent gratitude.

We have not less reason to be grateful for other bounties bestowed by the same munificent hand, and more exclusively our own.

The present year closes the first half century of our federal institutions; and our system, differing from all others in the acknowledged, practised, and unlimited operation which it has for so long a period given to the sovereignty of the people—has now been fully tested by experience.

The constitution devised by our forefathers as the time-worn and bond of that system, then untried, has become a settled form of government, not only preserving and protecting the great principles upon which it was founded, but wonderfully promoting individual happiness and private interests. Though subject to change and entire revocation, whenever deemed inadequate to all these purposes, yet such is the wisdom of its construction, and so stable has been the public sentiments that it remains unaltered, except in matters of detail, comparatively unimportant. It has proved amply sufficient for the various emergencies incident to our condition as a nation. A formidable foreign war; agitating collisions between domestic and, in some respects, rival sovereignties; temptations to intestine commotions of neighboring countries; the dangerous influences that arise in periods of excessive prosperity; and the anti-republican tendencies of associated wealth—these, with other trials not less formidable, have all been encountered, and thus far successfully resisted.

It was reserved for the American Union to test the advantages of a government entirely dependent on the continual exercise of the popular will; and our experience has shown that it is as beneficent in practice as it is just in theory. Each successive change made in our local institutions has contributed to extend the right of suffrage, has increased the direct influence of the mass of the community, given greater freedom to individual exertion, and restricted, more and more, the powers of government; yet the influence, prudence and patriotism of the people have kept pace with the augmented responsibility. In no country has education been so widely diffused. Domestic peace has nowhere so largely reigned. The close bonds of social intercourse have in no instance prevailed with such harmony over a space so vast. All forms of religion have united, for the first time, to diffuse charity and piety, because, for the first time in the history of nations, all have been totally untrammelled, and absolutely free. The deepest recesses of the wilderness have been penetrated; yet, instead of the rudeness in the social condition consequent upon such adventures elsewhere, numerous communities have sprung up, already unrivalled in prosperity, general intelligence, internal tranquility, and the wisdom of their political institutions. Internal improvement, the fruit of individual enterprise, fostered by the protection of the States, has added new links to the confederation, and fresh rewards to provident industry. Doubtful questions of domestic policy have been quietly settled by mutual forbearance, and agriculture, commerce, and manufactures, minister to each other. Taxation and public debt, the burdens

which bear so heavily upon all other countries, have pressed with comparative lightness upon us. Without one entangling alliance, our friendship is prized by every nation; and the rights of our citizens are every where respected, because they are known to be guarded by a united, sensitive, and watchful people.

To this practical operation of our institutions so evident and successful, we owe that increased attachment to them, which is among the most cheering exhibitions of popular sentiment, and will prove their best security, in time to come, against foreign and domestic assault.

This review of the results of our institutions, for half a century, without exciting a spirit of vain exultation, should serve to impress upon us the great principles from which they have sprung: constant and direct supervision by the people over every public measure; strict forbearance on the part of the Government from exercising any doubtful or disputed powers; and a cautious abstinence with concerns which properly and are best left to State regulations and individual enterprise.

Full information of the state of our foreign affairs having been recently, on two different occasions, submitted to Congress, I deem it unnecessary now to bring to your notice only such events as have subsequently occurred, or are of such importance as to require particular attention.

The most amiable dispositions continue to be exhibited by all the nations with whom the Government and citizens of the U. States have an habitual intercourse.—At the date of my last annual message, Mexico was the only nation which could not be included in so gratifying a reference to our foreign relations.

I am happy to be now able to inform you that an advance has been made towards the adjustment of our difficulties with that Republic, and the restoration of the customary good feeling between the two nations. This important change has been effected by conciliatory negotiations, that have resulted in the conclusion of a treaty between the two Governments which, when ratified, will refer to the arbitration of a friendly power all the subjects of controversy between us growing out of injuries to individuals. There is, at present, also, reason to believe that an equitable settlement of all disputed points will be attained without further difficulty or unnecessary delay, and thus authorize the free resumption of a diplomatic intercourse with our sister Republic.

With respect to the northeastern boundary of the U. States, no official correspondence between this Government and that of Great Britain has passed since that communicated to Congress towards the close of their last session. The offer to negotiate a convention for the appointment of a joint commission of survey and exploration, I am however, assured will be met by her Majesty's Government in a conciliatory and friendly spirit, and instructions to enable the British Minister to conclude such an arrangement will be transmitted to him without delay. It is hoped and expected that these instructions will be of a liberal character, and that this negotiation, if successful, will prove to be an important step towards the satisfactory and final adjustment of the controversy.

I had hoped that the respect for the laws and regard for the peace and honor of their own country, which has ever characterized the citizens of the U. States, would have prevented any portion of them from using any means to promote insurrection in the territory of a power with which we are at peace, and with which the U. States are desirous of maintaining the most friendly relations. I regret, deeply however, to be obliged to inform you that this has not been the case. Information has been given to me, derived from official and other sources, that many citizens of the United States have associated together to make hostile incursions from our territory into Canada, and to aid and abet insurrection there in violation of the obligations and laws of the U. States, and in open disregard of their own duties as citizens. This information has been in part confirmed, by a hostile invasion actually made by the citizens of the United States, in conjunction with Canadians and others, and accompanied by a forcible seizure of the property of our citizens, and an application thereof to the prosecution of military operations against the authorities and people of Canada.

The results of these criminal assaults upon the peace and order of a neighboring country have been, as was expected, fatally destructive to the misguided and deluded persons engaged in them, and highly injurious to those in whose behalf they are professed to have been undertaken.—The authorities in Canada, from intelligence received of such intended movements among our citizens, have felt themselves obliged to take precautionary measures against them, have actually embodied the militia, and assumed the attitude to repel the invasion to which they believed the Colonies were exposed from the U. States. A state of feeling on both sides of the frontier has thus been produced, which, called for prompt and vigorous interference. If an insurrection existed in Canada the amicable dispositions of the United States towards Great Britain, as well as their duty to themselves, would lead

them to maintain a strict neutrality, and to restrain their citizens from all violations of the laws which have been passed for its enforcement. But this Government recognizes a still higher obligation to repress all attempts on the part of its own citizens to disturb the peace of a country where order prevails, or has been re-established. Depredations by our citizens upon nations at peace with the United States, or combinations for committing them, have at all times been regarded by the American Government and people with the greatest abhorrence. Military incursions by our citizens into countries so situated, and the commission of acts of violence on the members thereof, in order to effect a change in its Government, or under any pretext whatever, have, from the commencement of our government, been held equally criminal on the part of those engaged in them, and as much deserving of punishment as would be the disturbance of the public peace by the perpetration of similar acts within our own territory.

By no country or persons have these invaluable principles of international law—principles, the strict observance of which is so indispensable to the preservation of social order in the world—been more earnestly cherished or scarcely respected, than by those great and good men who first declared, and finally established the independence of our own country.—They promulgated and maintained them at an early and critical period of our history; they were subsequently embodied in legislative enactments of a highly penal character, the faithful enforcement of which has hitherto been, and will, I trust always continue to be regarded as a duty inseparably associated with the maintenance of our national honor. That the people of the United States should feel an interest in the spread of political institutions as they regard their own to be, is natural; nor can a sincere solicitude for the success all those who are at any time, in good faith struggling for their acquisition, be imputed to our citizens as a crime. With the entire freedom of opinion, and an undisguised expression thereof, on their part, the Government has neither the right nor, I trust, the disposition to interfere. But whether the interest or the honor of the U. States require, that they should be party to any such struggle, and by inevitable consequence, to the war which is waged in its support, is a question which, by our constitution, is wisely left to Congress alone to decide.

It is by the laws, already made criminal in our citizens to embarrass or anticipate that decision, by unauthorized military operations on their part. Offences of this character, in addition to their criminality as violations of the laws of our country, have a direct tendency to draw down upon our citizens at large the multiplied evils of a foreign war, and expose to injurious imputations the good faith and honor of the country.—As such they deserve to be put down with promptitude and decision. I cannot be mistaken, I am confident, in counting on the cordial and general concurrence of our fellow citizens in this sentiment. A copy of the proclamation which I have felt it my duty to issue, is herewith communicated. I cannot but hope that the good sense and patriotism, the regard for the honor and reputation of their country, the respect for the laws which they have themselves enacted for their own government, and the love of order for which the mass of the people have been so long and so justly distinguished, will deter the comparatively few who are engaged in them from a further prosecution of such desperate enterprises. In the mean time, the existing laws have been, and will continue to be, faithfully executed; and every effort will be made to carry them out in their full extent. Whether they are sufficient or not to meet the actual state of things on the Canadian frontier, is for Congress to decide.

It will appear from the correspondence herewith submitted, that the Government of Russia declines a renewal of the fourth article of the convention of April, 1824, between the U. S. and his Imperial Majesty by the third article of which it is agreed that "hereafter there shall not be formed by the citizens of the U. States, or under the authority of the said States, any establishment upon the north west coast of America, nor in any of the islands adjacent, to the north of 54 deg. 40' of north latitude; and that, in the same manner there shall be none formed by Russian subjects, or under the authority of Russia, south of the same parallel;" and by the 4th article, "that, during a term of 10 years, counting from the signature of the present convention, the ships of both powers, or which belong to their citizens or subjects respectively, may reciprocally frequent, without any hindrance whatever, the interior seas, gulfs, harbors, and creeks upon the coast mentioned in the preceding article, for the purpose of fishing and trading with the natives of the country." The reasons assigned for declining to renew the provisions of this article, are, briefly, that the only use made by our citizens of the privilege it secures to them, has been to supply the Indians with liquors, ammunitions, and fire arms; that the traffic has been excluded from the Russia trade; and as the supplies furnished from the United States are injurious to the Russian establishments

on the north-west coast, are calculated to produce complaints between the two governments, His Imperial Majesty thinks it for the interest of both countries not to accede to the proposition made by the American government for the renewal of the article last referred to.

The correspondence herewith communicated will show the ground upon which we contend that the citizens of the United States have, independent of the provision of the convention of 1824, a right to trade with the natives upon the coast in question, at unoccupied places, liable, however, it is admitted, to be at any time extinguished by the creation of Russian establishments at such points. This right is denied by the Russian government, which asserts that by the operation of the treaty of 1824, each party agreed to waive the general right to land on the vacant coasts on the respective sides of the degree of latitude referred to, and accepted, in lieu thereof, the mutual privileges mentioned in the fourth article. The capital and tonnage employed by our citizens in their trade with the northwest coast of America will perhaps, on adhering to the official statements of the commerce and navigation of the United States for the last few years, be deemed too inconsiderable in amount to attract much attention; yet the subject may, in other respects, deserve the careful consideration of Congress.

I regret to state that the blockade of the principal ports on the eastern coast of Mexico, which in consequence of differences between that Republic and France, was instituted in May last, still continues, enforced by a competent French naval force and is necessarily embarrassing to our own trade in the gulf, in common with that of other nations. Every disposition, however, is believed to exist on the part of the French government to render this measure as little onerous as practicable to the interests of the citizens of the U. States, and to those of neutral commerce; and it is to be hoped that an early settlement of the difficulties between France and Mexico will soon re-establish the harmonious relations formerly subsisting between them, and again open the ports of that republic to the vessels of all friendly nations.

A convention for marking that part of the boundary between the U. States and the republic of Texas, which extends from the mouth of the Sabine to Red River, was concluded and signed at this city on the 25th of April last. It has since been ratified by both governments; and seasonable measures will be taken to carry it into effect on the part of the U. States.

The application of that republic for admission into the Union, made in August 1837, and which was declined for reasons already made known to you, has been formally withdrawn, as will appear from the accompanying copy of the note of the Minister Plenipotentiary of Texas, which was presented to the Secretary of State on the occasion of the exchange of the ratification of the convention above mentioned.

Copies of the convention with Texas, of a commercial treaty concluded with the King of Greece, and of a similar treaty with the Peru-Bolivian Confederation, the ratifications of which have been recently exchanged, accompany this message for the information of Congress, and for such legislative enactments as may be found necessary or expedient in relation to either of them.

To watch over and foster the interests of gradually increasing and widely extended commerce; to guard the rights of the American citizens, whose business or pleasure, or other motives, may tempt them into distant climes, and at the same time to cultivate those sentiments of mutual respect and good will which experience has proved so beneficial to international intercourse, the government of the United States has deemed it expedient, from time to time, to establish diplomatic connections with the different foreign states the appointment of representatives to reside within their respective territories. I am gratified to say to you, that since the close of your last session, these negotiations have been opened under the happiest auspices with Austria and the two Sicilies; that new nominations have been made in the respective missions to Russia, Brazil, Belgium, and Sweden, and Norway, in this country; and that a Minister Extraordinary, has been received, accredited to this government from the Argentine Confederation.

An exposition of the fiscal affairs of the government, and of their condition for the past year, will be made to you by the Secretary of the Treasury.

The available balance in the Treasury on the 1st of January next, is estimated at \$2,765,342. The receipts of the year, from customs and lands, will probably amount to \$20,615,598. These usual sources of revenue have been increased by an issue of Treasury notes; of which less than eight millions of dollars, including interest and principal, will be outstanding at the end of the year, and by the sale of one of the bonds of the Bank of the United States, for \$2,254,871. The aggregate of means from these and other sources, with the balance on hand on the 1st January last, has been applied to the payment of appropriations of Congress. The whole expenditure for the year, on their account, including the redemption of more than

eight millions of Treasury notes, constitutes an aggregate of about forty millions of dollars, and will leave in the Treasury the balance before stated.

Nearly eight millions of dollars of Treasury notes are to be paid during the coming year, in addition to the ordinary appropriations for the support of Government. For both these purposes, the resources of the Treasury will undoubtedly be sufficient, if the charges upon it are not increased beyond the annual estimates. No excess, however, is likely to exist; nor can the postponed instalment of the surplus revenue be deposited with the States, nor any considerable appropriations beyond the estimates be made without casting a deficiency in the Treasury. The great caution, advisable at all times, of limiting appropriations to the public service, is rendered necessary at present by the prospective and rapid reduction of the tariff; while the vigilant jealousy, evidently excited among the people by the occurrences of the last few years, assures us that they expect from their representatives, and will sustain them in the exercise of the most rigid economy.—Much can be effected by postponing appropriations not immediately required for the ordinary public service, or for any pressing emergency, and much by reducing the expenditures where the entire and immediate accomplishment of the objects in view is not indispensable.

When we call to mind the recent and extreme embarrassments produced by excessive issues of bank paper, aggravated by the unforeseen withdrawal of much foreign capital, and the inevitable derangement arising from the distribution of the surplus revenue among the States as required by Congress; and consider the heavy expenses incurred by the removal of Indian tribes; by the military operations in Florida; and on account of the unusually large appropriations made at the last two annual sessions of Congress for other objects; we have striking evidence in the present efficient state of our finances, of the abundant resources of the country to fulfill all its obligations. Nor is it less gratifying to find that the general business of the community, deeply affected as it has been, is reviving with additional vigor, chastened by the lessons of the past, and animated by the hopes of the future. By the curtailment of paper issues; by the curbing the sanguine and adventurous spirit of speculation; and by the honorable application of all available means to the fulfilment of obligations, confidence has been restored both at home and abroad, and ease and facility secured to all the operations of trade.

The agency of the Government in producing these results has been as efficient as its powers and means permitted. By withholding from the States the deposit of the fourth instalment, and having several millions at long credits with the banks, principally in one section of the country, and more immediately beneficial to it; and at the same time, aiding the banks and commercial communities in other sections, by postponing the payment of bonds for duties to the amount of between four and five millions of dollars, by an issue of Treasury notes as a means to enable the Government to meet the consequences of their indulgences, but, affording, at the same time, facilities for remittance and exchange and by steadily declining to employ as general depositories of the public revenues, or receive the notes of all banks which refused to redeem them with specie; by these measures, aided by the favorable action of some of the banks, and by the support and co-operation of a large portion of the community, we have witnessed an early resumption of specie payments in our great commercial capital, promptly followed in almost every part of the U. States. This result has been a like salutary to the true interests of agriculture, commerce, and manufactures; to public morals, respect for the laws, and that confidence between man and man which is so essential in all our social relations.

The contrast between the suspension of 1814 and that of 1837 is most striking. The short duration of the latter; the prompt restoration of business; the evident benefits resulting from an adherence by the Government to the constitutional standard of value, instead of sanctioning the suspension by the receipt of irredeemable paper; and the advantage derived from the large amount of specie introduced into the country previous to 1837, afford a valuable illustration of the true policy of the Government in such a crisis. Nor can the comparison fail to remove the impression that a national bank is necessary in such emergencies. Not only were specie payments resumed without its aid, but exchanges have also been more rapidly restored than when it existed, there by showing that private capital, enterprise, and prudence are fully adequate to these ends. On all these points experience seems to have confirmed the views heretofore submitted to Congress. We have been saved the mortification of seeing the distresses of the community for the third time seized on to fasten upon the country so dangerous an institution; and we may also hope that the business of individuals will hereafter be relieved from the injurious effects of a continued agitation of that disturbing subject. The limited influence of a national bank in averting derangement in the exchanges of the

country, or in compelling the resumption of specie payments, is now not less apparent than its tendency to increase inordinate speculation by expansions and contraction; its disposition to create panic and embarrassment for the promotion of its own designs; its interference with politics; and its far greater power for evil than for good, either in regard to the local institutions or the operations of Government itself. What was in these respects but apprehension or opinion, when a national bank was established, now stands confirmed by humiliating experience.

The scenes through which we have passed conclusively prove how little our commerce, agriculture, manufactures or finances, require such an institution, and what dangers are attendant on its power—a power, I trust, never to be conferred by the American people upon their Government, and still less upon individuals, not responsible to them for its unavoidable abuses.

My conviction of the necessity of a further legislative provision for the safe keeping and disbursement of the public money, and my opinion in regard to the accomplishment of those objects, have been already submitted to you. These have been strengthened by recent events; and, in the full conviction that time and experience must still further demonstrate their propriety, I feel it my duty, with respectful reference to the conflicting views of others, again to invite your attention to them.

With the exception of limited sums deposited in the few banks still employed under the act of 1833, the amounts received for duties, and, with very inconsiderable exceptions, those accruing from lands also, have since the general suspension of specie payments by the deposit banks, been kept and disbursed by the Treasurer, under his general legal powers subject to the superintendence of the Secretary of the Treasury. The propriety of defining more specifically, and of regulating by law, the exercise of this wide scope of executive discretion has been already submitted to Congress.

A change in the office of collector at one of our principal ports has brought to light a defalcation of the gravest character, the particulars of which, will be laid before you in a special report from the Secretary of the Treasury. By his report and the accompanying documents, it will be seen that the weekly returns of the defaultering officers, apparently exhibited throughout a faithful administration of the affairs intrusted to his management. It, however, now appears that he commenced abstracting the public money shortly after his appointment, and continued to do so, progressively increasing the amount, for the term of more than seven years embracing a portion of the period during which the public moneys were deposited in the Bank of the United States, the whole of that of the State bank deposit system and concluding only on his retirement from office, after that system had substantially failed in consequence of the suspension of specie payments.

The way in which this defalcation was so long concealed, and the steps taken to indemnify the United States, as far as practicable, against him, will also be presented to you. The case is one which imperatively claims the attention of Congress; and furnishes the strongest motive for the establishment of a more severe and secure system for the safe keeping and disbursement of the public moneys than any that has heretofore existed.

It seems proper, at all events, by an early enactment, similar to that of other countries, the application of public money by an officer of Government to private uses, should be made a felony, and visited with severe and ignominious punishment. This is already in effect, the law in respect to the mint, and has been productive of the most salutary results.—Whatever system is adopted, such an enactment, would be wise as an independent measure, since much of the public money must, in their collection and ultimate disbursement, pass twice through the hands of public officers, in whatever manner they are intermediately kept. The Government, it must be admitted, has been from its commencement comparatively fortunate in this respect.

But the appointing power cannot always be well advised in its selections, and the experienced of every country has shown that public officers are not at all times proof against temptation. It is a duty, therefore, which the Government owes, as well to the interests committed to its care as to the officers themselves, to provide every guard against transgressions of this character, that is consistent with reason and humanity. Congress cannot be too jealous of the conduct of those who are intrusted with the public money, and I shall at all times be disposed to encourage a watchful discharge of this duty.—If a more direct co-operation on the part of Congress, in the supervision of the officers intrusted with the custody and application of the public money is deemed desirable, it will give me pleasure to assist in the establishment of any judicious and constitutional plan by which that object may be accomplished. You will in your wisdom, determine upon the propri-

ty of adopting such a plan, and upon the measure necessary to its effectual execution.

When the late Bank of the United States was incorporated, and made a depository of the public money, a right was conceded to Congress to inspect, to act as it pleased by a committee of that body, the bonds and proceedings of the bank. In one of the States whose banks or institutions are supposed to rank amongst the first in point of stability, they are subjected to constant examination by commissioners appointed for that purpose, and much of the success of the banking system is attributed to this watchful supervision. The same course has also, in view of its beneficial operation, been adopted by an adjoining State, favorably known for the care it has always bestowed upon whatever relates to the financial concerns. I submit to your consideration whether a committee of Congress might not be profitably employed in inspecting, at such intervals as might be deemed proper, the affairs and accounts of officers entrusted with the custody of the public moneys.

The frequent performance of this duty might be made obligatory on the committee in respect to others. They might report to the Executive such defalcations as were found to exist, with a view to a prompt removal from office, unless the default was satisfactorily accounted for; and report, also, to Congress, at the commencement of each session, the result of their examinations and proceedings. It does not appear to me that, with a subjection of this call of public officers to the general supervision of the Executive, to examine by a committee of Congress at periods of which they should have no previous notice, and to prosecution and punishment as for felony for every breach of trust, the safe keeping of the public moneys, under the system proposed, might be placed on a surer foundation than it has ever occupied since the establishment of the Government.

The Secretary of the Treasury will lay before you additional information containing new details on this interesting subject. To these I ask your early attention. That it should have given rise to great diversity of opinion, cannot be a subject of surprise. After the collection and custody of the public moneys had been for so many years connected with, and made subsidiary to, the advancement of private interests, a return to the simple and self-denying ordinances of the constitution, could not but be difficult. But time and free discussion eliciting the sentiments of the people, and aided by that conciliatory spirit which has ever characterized their course on great emergencies, was well relied upon for a satisfactory settlement of the question. Already has this anticipation on one important point at least—the propriety of diverting public money to private purposes—been fully realized.—There is no reason to suppose that legislation upon that branch of the subject would now be embarrassed by a difference of opinion, or fail to receive the cordial support of a large majority of our constituents. The connection which formerly existed between the Government and banks was in reality injurious to both, as well as to the general interests of the community at large. It aggravated the disasters of trade and the general derangement of commercial intercourse, and administered new excitement and additional means to wild and reckless speculations, the disappointments of which threw the country into convulsions of panic, and all but produced violence and bloodshed.—The imprudent expansion of bank credits, which was the natural result of the command of the revenues of the state, furnished the resources for unbounded license in every species of adventure, seduced industry from its regular and salutary occupations by the hope of abundance without labor, and deranged the social state by tempting all trades and professions into the vortex of speculation on remote contingencies.

The same wide-spread influence impeded also the resources of the Government, curtailed its useful operations, embarrassed the fulfillment of its obligations, and seriously interfered with the execution of the laws. Large appropriations and oppressive taxes are the natural consequences of such a connection, since they increase the profits of those who are allowed to use the public funds, and make it their interest that money should be accumulated and expenditures multiplied. It is thus that a concentrated money power is tempted to become an active agent in political affairs, and all past experience has shown on which side that influence will be arrayed. We deceive ourselves if we suppose that it will ever be found asserting and supporting the rights of the community at large, in opposition to the claims of the few.

In a government whose distinguishing characteristic should be a diffusion and equalization of its benefits and burdens, the advantage of individuals will be augmented at the expense of the mass of the people. Nor is it the nature of combinations for the acquisition of legislative influence to confine their interference to the single object for which they were originally formed. The temptation to extend it to other matters, is, on the contrary, not unfrequently too strong to be resisted. The influence, in the direction of public affairs, of the community at large, is, therefore, in no slight danger of being sensibly and injuriously effected by giving to a comparatively small, but very efficient class, a direct and exclusive personal interest in so important a portion of the legislation of Congress, as that which relates to the custody of the public moneys. If laws acting upon private interests cannot always be avoided, they should be confined within the narrowest limits, and left, wherever possible, to the Legislatures of the States. When not thus restricted, they lead to combinations of powerful associations, foster an influence necessarily selfish, and turn the fair course of legislation to sinister ends, rather than the objects that advance public liberty, and promote the general good.

The whole subject now rests with you, and I cannot but express a hope that some definite measure will be adopted at the present session.

the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law, and have never doubted their utility, when properly managed, in promoting the interests of trade, and through that channel, the other interests of the community. To the General Government they present themselves merely as State institutions, having no necessary connection with its legislation or its administration. Like other State establishments, they may be used or not in conducting the affairs of the Government, as public policy and the general interests of the Union may seem to require. The only safe or proper principle upon which their intercourse with the Government can be regulated, is that which regulates their intercourse with the private citizen; the conferring of mutual benefits. When the Government can accomplish a financial operation better with the aid of the banks than without, it should be at liberty to seek that aid as it would the service of a private banker, or other capitalists or agents, giving the preference to those that will serve it on the best terms. Nor can there ever exist an interest in the officers of the General Government, as such, inducing them to embarrass or annoy the State banks any more than to incur the hostility of any other class of State institutions, or of private citizens. It is not in the nature of things that hostility to those institutions can spring from this source, or any opposition to their course of business, except when they themselves depart from the objects of their creation, and attempt to usurp powers not conferred upon them, or to subvert the standard of value established by the constitution. While opposition to their regular operations cannot exist in this quarter, resistance to any attempt to make Government dependant upon them for the successful administration of public affairs, is a matter of duty, as I trust it ever will be of inclination, no matter from what motive or consideration the attempt may originate.

It is no more than justice to the banks to say, that, in the late emergency, most of them firmly resisted the strongest temptations to extend their paper issues, when apparently sustained in a suspension of specie payments by public opinion, even though in some cases invited by legislative enactments. To this honorable course, aided by the resistance of the General Government, acting in obedience to the constitution and laws of the United States, to the introduction of an irredeemable paper medium, may be attributed, in a great degree, the speedy restoration of our currency to a sound state, and the business of the country to its wonted prosperity. The banks have but to continue in the same safe course, and be content in their appropriate sphere, to avoid all interference from the General Government, and to drive from it all the protection and benefits which it bestows upon other State establishments, on the people of the States, and on the States themselves. In this position, they cannot but secure the confidence and good will of the people and the Government, which they can only lose when leaping from their legitimate sphere, they attempt to control the legislation of the country, and pervert the operations of the Government to their own purpose.

Our experience under the act passed at the last session, to grant pre-emption rights to settlers on the public lands, has as yet been too limited to enable us to pronounce with safety upon the efficacy of its provisions to carry out the wise and liberal policy of the government in that respect. The recommendations formerly submitted to you, in respect to a graduation of the price of the public lands, remain to be finally acted upon. Having found no reason to change the views then expressed, your attention to them is respectfully requested.

Every proper exertion has been made, and will be continued to carry out the wishes of Congress in relation to the tobacco trade, as indicated in the several resolutions of the House of Representatives and the legislation of the two branches. A favorable impression has, I trust, been made in the different foreign countries to which particular attention has been directed, and though we cannot hope for an early change in their policy, as in many of them a convenient and large revenue is derived from monopolies in the fabrication and sale of this article, yet, as these monopolies really injurious to the people where they are established, and the revenue derived from them may be less injuriously and with equal facility obtained from another and a liberal system of administration, we cannot doubt that our efforts will be eventually crowned with success, if persisted in with temperate firmness, and sustained by prudent legislation.

In recommending to Congress the adoption of the necessary provisions at this session for taking the next census, or enumeration of the inhabitants of the United States, the suggestion presents itself whether the scope of the measure might not be usefully extended by causing it to embrace authentic statistical returns of the great interests specially entrusted to, or necessarily affected by the legislation of Congress.

The accompanying report of the Secretary of War presents a satisfactory account of the state of the army and of the several branches of the public service confided to the superintendence of that officer. The law increasing and organizing the military establishment of the U. States has been nearly carried into effect, and the army has been extensively and usefully employed during the past season.

I would again call to your notice the subjects connected with and essential to the military defence of the country, which were submitted to you at the last session; but which were not acted upon, as is supposed, for want of time. The most important of them is the organization of the militia on the maritime and inland frontiers. This measure is deemed important, as it is believed that it will furnish an effective volunteer force in aid of the regular army, and form the basis for a general system of organization for the entire militia of the United States. The erection of a national foundry and gun-powder manufactory, and one for making small arms, the latter to be situated at some point west of the Alleghany mountains, all appear to be of sufficient importance to be again urged upon your attention.

The plan proposed by the Secretary of War for the distribution of the forces of the United States in time of peace, is well calculated to promote regularity and economy in the fiscal administration of the service, to preserve the discipline of the troops, and to render them available for the maintenance of the peace and tranquility of the

country. With this view, likewise, I recommend the adoption of the plan presented by that officer for the defence of the frontier. The preservation of the lives and property of our fellow citizens who are settled upon that border country, as well as the existence of the Indian population, which might be tempted by our want of preparation to rush on their own destruction and attack the white settlements, all seem to require that this subject should be acted upon without delay, and the War Department authorized to place that country in a state of complete defence against an assault from the numerous and warlike tribes which are congregated on that border.

It affords me sincere pleasure to be able to apprise you of the entire removal of the Cherokee nation of Indians to their new home west of the Mississippi. The measures authorized by Congress at its last session with a view to the long standing controversy with them, have had the happiest effect. By an agreement concluded with them by the commanding general in that country, who has performed the duties assigned to him on the occasion with commendable energy and humanity, their removal has been principally under the conduct of their own chiefs, and they have emigrated without any apparent reluctance.

The successful accomplishment of this important object, the removal, also, of the entire Creek nation, with the exception of a small number of fugitives amongst the Seminoles in Florida, the progress already made towards a speedy completion of the removal of the Chickasaws, the Choctaws, the Pottawatomies, the Ottawas, and the Chippewas, with the extensive purchases of Indian lands during the present year, have rendered the speedy and successful result of the long-established policy of the Government upon the subject of Indian affairs entirely certain. The occasion is, therefore, deemed a proper one to place this policy in such a point of view as will exonerate the Government of the United States from the undesired reproach which has been cast upon it through several successive Administrations. That its mixed occupancy of the same territory, by the white and red man is incompatible with the happiness or safety of either, is a position in respect to which there has long since ceased to be room for a difference of opinion. Reason and experience have long since demonstrated its impracticability. The better fruits of every attempt heretofore to overcome the barriers interposed by nature have only been destruction, both physical and moral, to the Indian; dangerous conflicts of power between the Federal and State Governments; and detriment to the individual prosperity of the citizen, as well as to the general improvement of the country.

The remedial policy, the principles of which were settled more than thirty years ago, under the administration of Mr. Jefferson, consists in an extinction, for a fair consideration, of the title to all the lands still occupied by the Indians within the States and Territories of the United States; their removal to a country west of the Mississippi, much more extensive, and better adapted to their condition than that on which they then resided, the guarantee to them, by the United States, of their exclusive possession of that country forever, exempt from all intrusions by white men, with ample provisions for their security against external violence and internal dissension and the extension to them of suitable facilities for their advancement in civilization. This has not been the policy of this particular Administration only, but of each in succession, since the first attempt to carry it out under that of Mr. Monroe. All have labored for its accomplishment, only with different degrees of success. The manner of its execution has it is true, from time to time given rise to conflicts of opinion and unjust imputations; but in respect to the wisdom and necessity of the policy itself, there has not, from the beginning existed a doubt in the mind of any calm, judicious, disinterested friend of the Indian tribe, accustomed to reflection and enlightened experience.

Occupying the double character of contractor on its own account, and guardian for the parties contracted with, it was hardly to be expected that the dealings of the Federal Government with the Indian tribes would escape misrepresentation. That there occurred in the early settlement of this country, as well as in all others, where the civilized race has succeeded to the possessions of the savage, instances of oppression and fraud on the part of the former, there is too much reason to believe. No such offences can, however, be justly charged upon this Government, since it became free to pursue its own course. Its dealings with the Indian tribes have been just and friendly throughout; its efforts for their civilization constant, and directed by the best feelings of humanity; its watchfulness in protecting them from individual frauds unremitted; its forbearance under the keenest provocations, the deepest injuries, and the most flagrant outrages, may challenge at least a comparison with any nation, ancient or modern, in similar circumstances; and if in future times a powerful, civilized, and happy nation of Indians shall be found to exist within the limits of this northern continent, it will be owing to the consummation of that policy which has been so justly assailed. Only a very brief reference to facts in confirmation of this assertion can in this form be given, and you are, therefore, necessarily referred to the report of the Secretary of War for the further details. To the Cherokees whose case has perhaps excited the greatest share of attention and sympathy, the United States have granted in fee, with a perpetual guarantee of exclusive and peaceable possession, 13,524,135 acres of land, on westside of the Mississippi, eligibly situated, in a healthy climate, and in all respects better suited to their condition than the country they left in exchange for only 9,451 acres of land on the east side of the same river. The United States have in addition stipulated to pay them five millions six hundred thousand dollars for their interest in improvements on the lands thus relinquished, and one million and sixty thousand dollars for subsistence and other beneficial purposes; thereby putting it in their power to become one of the most wealthy and independent separate communities, of the same extent, in the world.

By the treaties made and ratified with the Miami, the Chippewas, the Sioux, the Sacs and Foxes, and the Winnebagoes, during the last year, the Indian title to eighteen millions four hundred and fifty-eight thousand acres has been extinguished. These purchases have been much more extensive than those of any previous year, and have, with other Indian expenses, borne very heavily upon the Treasury.—The leave, however, but a small quantity of unbought Indian lands within the States and Territories, and the Legislature and Executive were equally sensible of the propriety of a final and more speedy extinction of Indian titles within those limits. The treaties which were, with a single exception, made in pursuance of previous appropriations for defraying the expenses, have subsequently been ratified by the Senate, and received the sanction of Congress by the appropriations necessary to carry them into effect. Of the terms upon which these important negotiations were concluded, I can speak from direct knowledge; and I feel no difficulty in affirming that the interest of the Indians in the extensive territory embraced by them, is to be paid for at its fair value, and that no more favorable terms have been granted to the United States than would have been reasonably expected in a negotiation with civilized men, fully capable of appreciating and protecting their own rights. For the Indian title to 116,349,057 acres, acquired since the 4th of March, 1820, the United States have paid \$72,560,036, in permanent annuities, lands, reservations for Indians, expenses of removal and subsistence, merchandise, mechanical and agricultural establishments, and implements. When the heavy expense incurred by the United States, and the circumstance that so large a portion of the entire territory will be forever unsuitable, are considered, and his price is compared with that for which the United States sell their own lands, no one can doubt that justice has been done to the Indians in these purchases also. Certain it is, that the transactions of the Federal Government with the Indians have been uniformly characterized by a sincere and paramount desire to promote their welfare; and it must be a source of gratification to learn that notwithstanding the obstructions from time to time thrown in its way, and the difficulties which have arisen from the peculiar and impracticable nature of the Indian character, the wise, humane, and undeviating policy of the Government in this, most difficult of all our relations, foreign or domestic, has at length been justified to the world in its near approach to a happy and certain consummation.

The condition of the tribes which occupy the country set apart for them in the west, is highly prosperous, and encourages the hope of their early civilization. They have for the most part, abandoned the hunt for the plow, and turned their attention to agricultural pursuits. All those who have been established for any length of time in that fertile region, maintain themselves by their own industry. There are among them traders of no inconsiderable capital, and planters exporting cotton to some extent; but the greater number are small agriculturists, living in comfort upon the produce of their farms. The recent emigrants, although they have in some instances removed reluctantly, have readily acquiesced in their unavoidable destiny. They have found at once a compensation for past sufferings, and an incentive to industrious habits, in the abundance and comforts around them. There is reason to believe that all these tribes are friendly in their feeling towards the United States; and it is to be hoped that acquisition of individual wealth, the pursuits of agriculture, and habits of industry, gradually subdue their warlike propensities and incline them to maintain peace among themselves. To effect this desirable object, the attention of Congress is solicited to the measures recommended by the Secretary of War for their future government and protection, as well from each other as from the hostility of the war like tribes around them, and the intrusions of the whites. The policy of the Government has given them its peaceful and undisturbed possession. It only remains to give them a government and laws which will encourage industry, and secure to them the rewards of their exertions. The importance of some form of government cannot be too much insisted upon. The earliest efforts will be to diminish the causes and occasions for hostilities among the tribes, to inspire an interest in the observance of laws to which they will have themselves assented, and to multiply the securities of property, and the motives for self-improvement.

Intimately connected with this subject, is the establishment of the military defenses recommended by the Secretary of War, which have been already referred to.—Without them, the Government will be powerless to redeem its pledges of protection to the emigrating Indians against the numerous warlike tribes that surround them and to provide for the safety of the frontier settlers of the bordering States.

The case of the Seminoles is at present the only exception to the successful efforts of the Government to remove the Indians to the homes assigned them west of the Mississippi. Four hundred of this tribe emigrated in 1836, and fifteen hundred in 1837 and 1838, leaving in the country, it is supposed, about 2,000 Indians. The continued treacherous conduct of these people; the savage and unprovoked murders they have lately committed, butchering whole families of the settlers of the Territory, without distinction of age or sex, and making their way into the very heart and heart of the country, so that no part of it is free from their ravages; their frequent attacks on the light houses along that dangerous coast; and the barbarity with which they have murdered the passengers and crews of such vessels as have been wrecked upon the reefs and keys which border the Gulf, leave the Government no alternative but to continue the military operations against them until they are totally expelled from Florida.

There are other motives which would urge the Government to pursue this course towards the Seminoles. The United States have fulfilled in good faith all their treaty stipulations with Indian tribes, and have, in every other instance, insisted upon a like performance of their obligations. To relax from this salutary rule because the Seminoles have maintained themselves so long in the Territory they had relinquished, and in defiance of their frequent and solemn engagements, still continue to wage a ruthless war against the United States, would not only evince a want of constancy on our part, but be of evil example in our intercourse with other tribes. Experience has shown that but little is to be gained by the march of armies through a country so intersected with inaccessible swamps and marshes and which from the fatal character of the climate, must be abandoned at the end of the winter. I recommend, therefore, to your attention the plan submitted by the Secretary of War in the accompanying re-

port, for the permanent occupation of the portion of the territory freed from the Indians, and the more efficient protection of the people of Florida from their inhuman warfare.

From the report of the Secretary of the Navy, herewith transmitted, it will appear that a large portion of the disposable naval force is either actively employed, or in a state of preparation for the purpose of experience and discipline, and the protection of our commerce. So effectively has been this protection, that so far as the information of Government extends, not a single outrage has been attempted on a vessel carrying the flag of the United States, within the present year, in any quarter, however distant or exposed.

The Exploring expedition sailed from Norfolk on the 19th of August last; and information has been received of its safe arrival at the island of Madeira. The best spirits animate the officers and crews, and there is every reason to anticipate, from its efforts, results beneficial to commerce and honorable to the nation.

It will also be seen that the reduction of the force now in commission is contemplated. The unsettled state of a portion of South America renders it indispensable that our commerce should receive protection in that quarter; the vast and increasing interests embarked in the trade of the Indian and China seas, in the whale fisheries of the Pacific ocean, and in the Gulf of Mexico, require equal attention to their safety; and a small squadron may be employed to great advantage on our Atlantic coast, in meeting sudden demands for the reinforcement of other stations, in aiding merchant vessels in distress, in affording active service to an additional number of officers and in visiting the different ports of the United States, an accurate knowledge of which is obviously of the highest importance.

The attention of Congress is respectfully called to that portion of the report recommending an increase in the number of smaller vessels, and in other suggestions contained in that document. The rapid increase and wide expansion of our commerce, which is every day seeking new avenues, of profitable adventure; the absolute necessity of a naval force for its protection precisely in the degree of its extension; a due regard to the national rights and honor; the recollection of its former exploits, and the anticipation of its future triumph whenever opportunity presents itself, which we may rightfully indulge from the experience of the past; all seem to point to the navy as a most efficient arm of our national defence and a proper subject of Legislative encouragement.

The progress and condition of the Post Office Department will be seen by reference to the report of the Postmaster-General.—The extent of post roads covered by mail contracts, is stated to be 134,202 miles.—The number of post offices in the United States is 12,553 and rapidly increasing.—The gross revenue for the year ending on the 30th of June last, was \$4,262,255.00.—The accruing expenditures, \$680,053.00; excess of expenditures, \$147,923.00.—This has been made up out of the surplus previously on hand. The cash on hand on the 1st inst, was \$354,008.00.—The revenue for the year ending June 30, 1838, was \$161,540 more than that for the year ending June 30, 1837. The expenditures of the department had been graduated upon the anticipation of a largely increased revenue. A moderate curtailment of mail service consequently became necessary, and has been effected, to shield the department against the danger of embarrassment. Its revenue is now improving, and it will soon resume its onward course in the march of improvement.

Your particular attention is requested to so much of the Postmaster-General's report as relates to the transportation of the mails upon rail roads. The laws on that subject do not seem adequate to secure that service, now become almost essential to the public interests, and at the same time protect the department from combinations and unreasonable demands.

Nor can I too earnestly request your attention to the necessity of providing a more secure building for this department. The danger of destruction to which its important books and papers are continually exposed, as well as from the combustible character of the building occupied, as from that of others in the vicinity, calls loudly for prompt action.

Your attention is again earnestly invited to the suggestions and recommendations submitted at the last session, in respect to the District of Columbia. I feel it my duty, also, to bring to your notice certain proceedings at law which have recently been prosecuted in this District, in the name of the United States, on the relation of Messrs. Stockton & Stokes, of the State of Maryland, against the Postmaster-General, and which have resulted in the payment of money out of the national Treasury, for the first time since the establishment of the government by judicial compulsion, exercised by the common law writ of mandamus, issued by the circuit court of this District.

The facts of the case, and the grounds of the proceedings, will be found fully stated in the report of the decision, and any additional information which you may desire, will be supplied by the proper department. No interference in the particular case is contemplated. The money has been paid, the claims of the prosecutors have been satisfied; and the whole subject, so far as they are concerned, is finally disposed of; but it is on the subject of the case may be regarded as an authoritative exposition of the law as it now stands, that I have thought it necessary to present it to your consideration.

The object of the application to the circuit court was to compel the Postmaster-General to carry into effect an award made by the Solicitor of the Treasury, under a special act of Congress for the settlement of certain claims of the relations of the Post Office Department, which award the Postmaster-General declined to accept in full, until he should receive further legislative direction on the subject. If the duty imposed upon the Postmaster-General by that law, was to be regarded as one of an official nature, belonging to his office as a branch of the Executive, then it is obvious that the constitutional competency of the judiciary to direct and control him in its discharge, was necessarily drawn in question. And if the duty so imposed on the Postmaster-General was to be considered as merely ministerial, and not executive, it yet remained to be shown that the Circuit Court of this district had authority to interfere by mandamus—such a power having never before been asserted or claimed by that court. With a view to the settlement of these important questions, the judgment of the circuit court was carried, by a writ of error, to the Supreme Court of the United States. In the opinion of that tribunal, the duty imposed on the Postmaster-General was not an official executive duty, but one of a merely ministerial nature. The grave constitutional questions which had been discussed were, therefore, excluded from the decision of the case; the court, indeed, expressly admitted that, with powers and duties properly belonging to the Executive, no other department can interfere by the writ of mandamus; and the question, therefore, resolved itself into this:—

Has Congress conferred upon the circuit court of this District the power to issue such a writ to an officer of the General Government, commanding him to perform a ministerial act? A majority of the Court have decided that it has, but have founded their decision upon a process of reasoning, which, in my judgment, renders further legislative provision indispensable to the public interests, and the equal administration of justice.

It has long since been decided by the Supreme

Court, that neither that tribunal, nor the Circuit Courts of the United States held with the respective States, possess the power in question; but it is now held that this power, denied to both of these high tribunals, is to be found in the constitution, and to the latter, by Congress, has been conferred, vested in the Circuit Court of this District. No such direct grant of power to the Circuit Court of this District is claimed, but it has been held to result, by necessary implication, from several sections of the law establishing the Court. One of these sections declares, that the laws of Maryland, as they existed at the time of the cession, should be in force in that part of the District ceded by that State; and, by this provision, the entire body of civil and criminal cases, as it prevailed in Maryland in 1801, was established in that part of the District.

In England, the Court of King's Bench—because the Sovereign, who, according to the theory of the constitution, is the fountain of justice, originally sat there in person, and is still deemed to be present, in construction of law, alone possesses the high power of issuing the writ of mandamus, but also to inferior jurisdictions and corporations, but also to magistrates and others, commanding them, in the King's name, to do what their duty requires, in cases where there is a vested right, and no other specific remedy. It has been held, in the case referred to, that as the Supreme Court of the U. States, by the constitution, rendered incompetent to exercise this power, and as the circuit court of this District is a court of general jurisdiction in cases at common law, and the highest court of original jurisdiction in the District, the right to issue the writ of mandamus is incident to its common law powers.

Another ground relied upon to maintain the power in question, is that it was included, by fair construction, in the power of grant to the circuit courts of the U. States, by the act "to provide for the more convenient organization of the courts of the United States," passed 13th of February, 1801; that that act established the circuit court of this District, passed the 27th of February, 1801, conferred upon that court and the judges thereof, the same powers as were by law vested in the circuit courts of the United States and in the judges of the said courts; that the repeal of the first mentioned act, which took place on the 1st of March, 1802, vested the circuit of this District of the authority to issue the writ of mandamus, in the circuit court of this District, but left it still clothed with powers over the subject in which it is conceded, were taken away from the circuit courts of the United States by the repeal of the act of the 13th of February, 1801.

Admitting that the adoption of the laws of Maryland for a portion of this District confers on the circuit court thereof, in that portion, the transcendental judicial prerogative powers of the Court of King's Bench, in England, in the exercise of the acts of Congress, by necessary implication, authorize the former court to issue a writ of mandamus to an officer of the United States, to compel him to perform a ministerial duty, the consequences are, in one respect, that the power is, in other cases, that the officers of the United States, stationed in different parts of the United States, are in respect to the performance of their official duties, subject to different laws and a different supervision, in the States to one rule, and those in the District of Columbia to another, and a very different one. In the District their official conduct is subject to a judicial control, from which in the States they are exempt.

Whatever difference of opinion may exist as to the expediency of such a power in the judiciary, in a system of Government constituted like that of the United States, all must agree that these disparaging discrepancies in the law and in the administration of justice, ought to be removed, and to continue; and as Congress alone can provide the remedy, the subject is unavoidably presented to your consideration.

MARTIN VAN BUREN.
WASHINGTON, Dec. 3, 1838.

THE KENTUCKY ALMANAC, FOR THE YEAR OF OUR LORD, 1839.

By S. D. McCLELLAN, is this day published, and for sale at the Office of the Kentucky Gazette. It contains

The Sun and Moon's rising and setting—the Sun's declination—the day's length—the time of the Sun's being on the meridian, according to a well regulated clock—the moon's place in the Ecl. line, and its government of a man's body—figures of all the constellations of the Zodiac—with descriptions of each—times of the Southern of the principal fixed Stars and Constellations—the rising and setting of the Planets—descriptions of the Planets, and directions in what part of the heavens to look for them, and what time in the year 1839.—Explanations of the Dominical letter, Epact, Golden Number, &c.—Latitudes and Longitudes of nearly all the towns and villages in Kentucky—times for holding all the Courts in Kentucky—Statistical and other important matter, &c. &c. The contents will give the greatest advantage to this Almanac over all other offered for sale in Kentucky.

DAN BRADFORD, editor of the Kentucky Gazette, is sole proprietor: Orders, accompanied with the cash, will be thankfully received and executed.

Such of our brethren as will give the above a few insertions, shall receive the same reciprocated on application; and we will be glad to receive their orders for such number of subscriptions as may be necessary to supply their subscribers.

Nov. 1, 1838.

BEER. LEXINGTON BREWERY, West Main-Street, opposite Jefferson-Street.

THE Proprietor of the Lexington Brewery begs leave to inform his old customers, that his Brewery is now in a full state of operation, and that every exertion in his power will be used to support the high reputation he has acquired for the manufacture of PORTER, ALE AND BEER.

He returns thanks to his old customers for their liberal patronage, which has enabled him to stop all IMPORTATION, and circulate that CAPITAL in our city and vicinity, which has been for so many years past, distributed in FOREIGN MARKETS.

His BEER season, commenced on the first of September, Orders from the first of that month will be attended to. Distillers will be furnished with Malt and Hops, and Farmers supplied with Fall and Spring Barley Seed.

JOHN R. CLEARY.
Lexington, Nov. 15, 1838.—46-6m

INFORMATION WANTED.

INFORMATION wanted and asked at the hands of all editors in the United States, who are friends to their country.

I, the widow of WM. MCALIN, dec'd, who was a soldier of the Revolution, and suffered much in the struggle for independence, desirous of proving my marriage, and procuring a pension from the U. States, wish to gain information respecting the residence of my relations, in order to establish that fact. My parents emigrated about the year 1782, from Orange Co. N. Y. to the Western States, or Kentucky.—My father's name was Thomas Johnson, and my mother's maiden name Susan Papino; our family consisted of seven children, my brothers names were John, Benjamin and George Johnson. Should any of them see this notice, they will immediately write and state where they are.

Editors in the Union will please give this two or three insertions for the benefit of an indigent widow, who suffered much herself in the struggle for freedom.

CH. LOTTE MCALIN.
Warwick, Orange Co. N. Y., Oct. 27, 1838.

GAZETTE. LEXINGTON, KY.

THURSDAY, DEC. 13, 1838.

Gov. Clark's Message was given in our last paper.

President Van Buren's Message was issued in an extra Gazette, on Monday last, and is inserted, for preservation, in our paper to-day.

We are not, like some of our contemporaries, disposed to condemn either. Mr. Van Buren's Message appears to us to embrace every topic proper to be contained in such a state paper. That the views of the President relative to the keeping and disbursing the public money, should not be satisfactory to the bank party, was to have been expected; but we think his message has been fully approved by the Democratic party—at least such is our opinion.

Having got through the publication of those important documents, we shall have more room for variety.

That eternal disaster of the proceedings in Congress, JOHN Q. ADAMS, although it is known to the whole country, that the proposition of Texas to become a part of the United States, had been formally withdrawn, moved on the second day of the session, that all petitions on the subject, heretofore presented, be referred to a select committee—which was ordered to be laid on the table, says 136, yeas 61.

Mr. Adams also introduced a resolution for the appointment of a special committee to enquire into the conduct of Mr. Stevenson, our Minister to London, relative to the insulting speech of Daniel O'Connell. After some little discussion, the whole was laid on the table, by a vote of 140 yeas, 57 nays.

There can be but little doubt, that the abolition principles of Mr. Adams will induce him to sustain O'Connell in any insults he may offer to the United States.

Mr. CLAY of Alabama, gave notice that he should, on the 5th, ask leave to introduce a bill for reducing and graduating the price of public Land.

In the Kentucky Legislature, the number of petitions for divorces is unusually large. In each house, resolutions were passed, instructing the Committee on religion, to which those petitions were referred, to report against every case which could be relieved by the Circuit Courts.

Mr. Rodes of Fayette obtained leave to bring in a bill to allow Banking privileges to the Charleston, Louisville, and Cincinnati Rail-road Company.

Mr. Reeves of Todd, presented petitions for a Southern Bank of Kentucky.

Col. RICHARD M. JOHNSON, Vice President, arrived in Lexington on Saturday last. He met a number of his friends at Col. Keiser's hotel in the evening, and proceeded on next morning to the City of Washington.

COL. A. BLANDING has been unanimously elected President of the Charleston, Cincinnati and Louisville Rail Road Bank.

ANDREW JACKSON.—It will be gratifying to the friends of this patriot, to be informed, that Mr. HART, who has exhibited such fine specimens of his talents as a sculptor in our city, and who is, at this time considered unrivaled in the United States, is on a visit to the Hermitage, for the purpose of taking a bust of the General, as large as life.

Mr. HART was sent on by a respectable committee appointed by the subscribers for this work; and there is but little doubt the venerable patriot will yield to their solicitations, and set for the artist.

[COMMUNICATED.]

MR. BRADFORD.—The first successful experiment of propelling boats on water by steam, was invented by Mr. EDWARD WEST, died in 1794, an ingenious mechanic, and one of the first settlers of Lexington. It is within the recollection of many citizens now living, that Mr. West, upwards of forty years ago, made a small boat, which he ran by steam in the Elk-horn branch, at this place, to the delight of many present, the machinery of which is still in a state of preservation. This we consider the first experiment of applying steam to boats in any country.

We also understand, that a survey was made upwards of forty years ago, from the Kentucky river, near Bushborough, with a view of making a canal to this place, and intersecting the Northern Waters of the utility and practicability of which, I have no doubt.

From the Washington Correspondent of the Kentucky Gazette.

WASHINGTON CITY, Dec. 3, 1838.
DEAR SIR.—Congress was organized to-day, by the usual interchange of messages. A joint committee was appointed to wait on the President, who will send in his message to-morrow at 12 o'clock.

In the House, a Clerk had to be elected to supply the place of W. S. FRANKLIN, dead.—There were nine candidates started at first, of every complexion of parties. The Democratic principle of electing by voice vote, was adopted, and very much to the surprise of many persons, HUGH A. GARLAND, Esq. of Va. was elected on the third trial, having received 106 votes, to 104 received by M. S. C. CLARK, Esq. a partner in mining speculations with the late Senator Swartwout. Mr. Garland is a firm Democrat, and his election is regarded here a triumph of no small importance. At least three Whigs, or those who were Whigs last year, voted for, not from any personal considerations, but being Southern men, it is said they are now for the Administration. This is a good sign. The delegate from Wisconsin was not allowed to take his seat, upon the evidence of a certificate from the governor, it being contested by Gen. Jones. If this shall be a governing principle for next winter, it may be regarded as a very important decision on the part of the House. It will put the New Jersey members, and the Illinois member, who have received certificates thro' fraud most foul, upon an equal footing with those who will most assuredly contest their seats—and may determine the political complexion of the next Congress, by preventing them from voting for themselves.

From the Louisville Journal of the 5th inst.

TERRIBLE ACCIDENT.
On the 25th ult. at 11 o'clock, the steamer Gen. Brown, burst her boilers at Helena. We have seen a gentleman who was on board at the time, and also several letters, giving an account of the accident, and from those sources we derive the following particulars:

Twenty-three persons are ascertained to have been lost, and there were probably 30. The loss in the crew is as follows:—Samuel Clark, captain; Underwood, pilot; Eli Johns, 2d clerk; Paul Bondeat, mate; Jos. Huges, carpenter; Patrick Dunn, bar-keeper; Wilson, 1st engineer. The other pilot and engineer were injured but not dangerously. Five of the firemen were killed. From eight to ten cabin passengers were destroyed. We have only learned the names of the following:—Horace Blanchard, formerly of Lexington; R. W. Johnson, formerly bar keeper at the Louisville Hotel; and Dr. Price of Vicksburg.

According to a letter of Mr. McConnell, 1st clerk, the boat had landed at Helena about 10 minutes, and was in the act of drawing in her planks when the explosion occurred. Part of the hurricane deck, the boiler deck, social hall, clerk's office, books and money chest were all swept away. Most of the books and money were afterwards found. One of the boilers was blown on the shore, and the others were burst in pieces. The hull of the boat was much injured, and a good many barrels of flour and whiskey in the hold destroyed.

GEN. BROWN.—We find in the New Orleans Picayune, the following list of the crew and passengers, the steamboat Gen. Brown, together with those killed and wounded:—S. Clark, Captain of the boat, dead.
Basil Bonstetter, 1st mate, dead.
Hamilton McCrea, pilot, legs and arms broken.
Mr. Wilson, head engineer, dead.
Elijah Ensign, 2d engineer, life despaired of.
Eli Johns, 3d engineer, life despaired of.
Robert McConnell, 1st clerk, unhurt.
D. L. Davies, for Natchez, dead.
Elisha Sibley, for Port Hudson, dead.
W. A. Miller, for Natchez, dead.
Dr. Price, for Vicksburg, dead.
H. F. Blanchard, for Vicksburg, dead.
G. F. Atherton, for Vicksburg, unhurt.
Edward Hubbard, for New Orleans, dead.
James Bell, for Natchez, dead.
Robert Johnson, for New Orleans, dead.
R. Grathwaite, for Columbus, missing.
J. N. Utter, for Vicksburg, missing.
J. L. Long, for Natchez, legs and arms broken.

Thomas Tewie, a passenger, missing.
John Coffey, of Arkansas, dead.
Barney Gaffney, deck passenger, not heard from.
Silas Drury, of this neighborhood, dead.
John S. Warner, of Pennsylvania, badly scalded.

Nobody was hurt in the ladies' cabin, with the exception of Mr. George, of Vicksburg, who was slightly injured. His family, who were along, escaped. Among the passengers in the ladies' cabin, we notice the names of Mrs. M. Wilson and servant, and Mrs. E. Wilson of Montgomery. Mr. King and family, bound for Natchez.

The following blacks were employed on board and were all more or less hurt; some of them severely:—Ben Handy, David Applegate, Jeremiah McCasell, George Hughes, Henry McFinley.

From the Burlington Sentinel.
CANADA.

From Quebec our dates are to Friday last. On Tuesday, Mr. John Teed, Merchant Tailor of that city an Irishman of considerable influence, confined in jail under an accusation of treason, made application for a writ of Habeas Corpus, before the Judges of the Court of King's Bench for that district.

The two Canadian Judges, Messrs. Panel and Bedard, after twenty hours deliberation, granted the prayer of the petition, an issued the writ. The Sheriff proceeded to the common jail to execute his duty, when he found that Mr. Teed had been transferred to the Citadel by the military authorities. It appears that the writ was then served upon Colonel Bowles, Commanding at Quebec, in whose custody Teed is; the Colonel wrote a letter to the Judges explaining the reasons which induced him to decline to give up the body of the prisoner; but his explanatory letter was so far from giving satisfaction to their Honors that they immediately issued a warrant for the apprehension of Colonel Bowles for a contempt.

In proceeding to execute his warrant, the Sheriff found that Colonel Bowles was in the citadel barracks, the gates of which have been since closed day and night. The jailor was committed for permitting Teed to be conveyed from prison to the citadel; and the whole affair has occasioned very great and unusual excitement at Quebec. From the tenor of Canada papers, it appears that the gates are kept closed, night and day, for fear of an attempt to rescue the prisoners confined in the citadel. One paper goes the length of saying that they are actually in a state of siege.

From the known popularity of Mr. Teed among his Irish brethren and the whole mass of Canadians at Quebec, we may look for some further proceedings in this affair.

We learn from the Baltimore Chronicle, that the stage in which Messrs. CLAY and CRITTENDEN were passengers, on their way to Washington, was upset on Friday, the 30th ult. near Brownsville, Pa. and both these gentlemen considerably injured—but were able to resume their journey the next day.

Obs. and Rep.

TEXAS.—The latest information from this new Republic, is contained in the Orleans Courier of the 28th November. That paper states "that a letter was received at Houston on the 17th instant, reports the alarming intelligence that the Comanche Indians were gathering in large bodies in that neighborhood. A camp was formed near San Antonio, from which a message had been sent to the inhabitants of the import that they were at liberty to depart in safety within a certain number of days—but that all who remained after that would be massacred without respect to age or sex. The news has created quite a sensation throughout Texas, and citizens are arming in every direction to meet and repel the invaders."—lb.

The total vote for a Convention in all the counties in the State, except 4, viz. Jefferson, Floyd, Estill and Livingston, is 26,691.

ROLL, IN ALPHABETICAL ORDER, OF THE MEMBERS OF THE LEGISLATURE OF KY. DECEMBER SESSION, 1838.

HON. C. A. WICKLIFFE, Lt. Gov. and Speaker of the Senate.

SENATORS.

Ballinger, Frank of Knox 24
Barlow John S of Monroe 9
Beau, Adam of Mason 36
Bradshaw Wm of Adair 10
Burnett Isaac of Trigg 21
Clarke Wm of Jessamine 22
Davidson, Michael of Lincoln 32
DeCoursey Wm of Henderson 5
Faxon, Archibald of Warren 6
Ford Richard S of Louisville City 5
Guthrie James of Clark 2
Hanson Samuel of Spencer 30
Huston Mark E of Hickman 1
James Thomas of Pulaski 11
Jasper Achilles of Todd 13
Jesus Samuel B of Shelby 17
Johnston Geo W of Floyd 17
Morgan Daniel of Fleming 35
Morgan John S of Nicholas 27
Murrell James of Henry 16
Nuttall Elijah F of Butler 13
Pitts James G of Scott 29
Pratt John of Lawrence 24
Rice James M of Hardin 19
Roberts George of Marion 14
Schelling, J. J. of Mercer 15
Tomlinson, John A of Madison 2
Walker Charles J of Logan 4
Walker James V of Boone 25
Wallace John of Breckinridge 32
Widkins Anselm of Caldwell 2
Weller James C of Green 8
Willis Wm T of Owen 23
Winzette, Cyrus of Montgomery 38
Young Stanley of Nelson 18

Thirty-third District vacant, by the resignation of Maj. A. K. WOOLLEY.

REPRESENTATIVES.

Allen Alfred of Breckinridge & Han-
Anderson Alfred of Green [lock
Andrews Simon II of Garrard
Andrews L W of Fleming
Apperson Richard of Montgomery
Bailey Hartwell A of Lincoln
Ballard Camden M of Oldham
Bayne Elizabeth of Boone
Blair Wm W of Fleming
Blodson Hiram M of Bourbon
Bodine Asher of Nelson
Bradley Wm of Hopkins
Brishaw Benj of Christian
Brooks David of Bracken
Browder Robert of Logan
Burford Thos J of Laurel and Rockcastle
Bullock Wm C of Green
Buckner Richard A of Butler & Edmonson
Burden John T of City of Louisville
Butler Percival of Fayette
Coleman Whitehead of Harrison
Coker John of Hardin
Coffey Shelby of Wayne
Combs Fielding A of Clarke
Cordish Lindwell C of Mercer
Covell Wm of Adair
Doherty Chapman of Harlan and Knox
Dorton James B of Hart
Edmonson Benj B of Cumberland and Cin-
Ellison Thos S of City of Louisville
Field Wm H of Simpson
Finn John of Madison
Fox Wm T of Scott
Gardner John F of Lawrence and Morgan
Goble Green V of Campbell
Goodson John A of Meade
Gough Thos J of Ballit
Graham John of Logan
Gray Benjamin E of Christian
Gray Ninian E of Clarke
Haggard Zachariah of Barren
Hardy James G of Floyd and Pike
Harris Henry C of Spencer
Healy Stillwell of Henderson
Hobson Edmund H of Monroe
Howard Wm G of Livingston
Hughes Joseph of Pulaski
Jasper Charles of Scott
Johnson Geo W of Boone
Lattimer Radical of Henry
Leopold Joseph of Garrard
Letcher Robt F of Woodford
Marshall Thos F of Anderson
McBrayer Andrew of Mason
McClure John A of Russell
McClure Nathan of Union
McElroy Hiram of Hickman
McFall Saml P of Jefferson
Merriweather David of Caldwell
Mims Lincoln of Franklin
Morehead Chas S of Clay and Perry
Morris Wm of Grant
Myers Lewis of Harrison
Newell Hugh of Davies
Newton Wm of Henry
O'Bannon John W of Graves and McCracken
Pirtle Geo W of Jefferson
Pope Patrick H of Marion
Purdy Ed C of Trigg
Redd Thos B of Todd
Reeves Benj F of Casey
Riffe John of Barren
Ritter John W of Fayette [Trimble
Rodes Wm of Gallatin, Carroll and
Root Wm of Ohio
Rowan Alexander R of Owen
Rowlet Joseph W of Rayton
Ryder Thos of Washington
Rudd Christopher A of Jessamine
Shanklin Geo S of Nicholas
Sharpe John of Nelson
Slaughter G Clayton of Warren
Smith Isaac of Fayette
Smith Larkin B of Shelby
Sprigg James C of Allen
Sutton Thomas of Fayette
Swager Samuel F of Muhlenburg
Taggart James of Canabell
Thomas John J of Estill
Thornburg Isaac of Warren
Todd John F of Greenup
Trimble David of Bath
Trimbo John A of Mason
Waddle James W of Callaway
Wade Vincent A of Lewis
Walker Thos J of Whitley
White Dempsy of Hardin
Whitworth Charles G of Yates
Yates Valentine of Grayson

TEMPERANCE DISCUSSION.

A general invitation is hereby given to all classes of the community, to meet at the First Baptist Church, on Tuesday evening next, 18th inst, for the discussion of the following position viz:—

That intoxicating drinks of every description are wholly unnecessary to persons in health—and that the welfare of society requires their universal disuse as a beverage.

It is particularly desired that the members of the Clerical, Legal and Medical professions will be present and participate in the debate. It is hoped that all who have objections to the doctrine of total abstinence, will come forward and defend their views on this all important topic.

By order of the Exe. Com. of Lex. T. S.

Fresh supply of BLUE LICK WATER

will be received on Saturday next, by

D. BRADFORD.

Dec 13. No 28. Main street.

MR. JOHN W. HUNT, Spk.—Owing to the inefficient police of our city for the past two or three years, and the evident necessity of a change, many of the voters of the city, in looking round for a candidate for the office of Mayor, who will (most likely) restore the affairs of the city to good order, have concluded to ask of you to permit your name to be used as a candidate at the approaching election—and hope that you will permit your name to be thus used.

MANY VOTERS.

CITY ELECTION.

The election for Mayor of the City of Lexington will be held in the several wards, on the first Saturday in January.

STEPHEN CHIPLEY,
JACOB ASHTON,
CHARLES H. WICKLIFFE,
G. L. POSTLETHWAITE.

MARRIED.—By Dr. B. F. Hall, on the 10th inst. Mr. WILLARD F. TAFT, of this city, to Miss VERLINDA A. GRIMES, of Bourbon county. By the same, on the 11th inst. Mr. Desso DUDWIT to Miss JOHANNA MILKIN, daughter of Mr. Isaac R. Miller, all of this city.

DIED.—Near this city, on Sunday evening, the 9th inst. JOSEPH FORMAN, aged 42 years. On the 11th inst. GEO. SHOEMAKER, aged 39 years.

In this city, on the 6th inst. Mrs. SARAH ANN MUMFTRY, wife of Mr. John Mumftry, and daughter of Mr. Stark Taylor of this county. On the 7th inst. at his residence in this city, Capt. W. W. GRAVES, aged 86 years.

In this county, on the 11th inst. Mrs. GRAYES, aged about 21 years, son of Wm. W. Graves.

THE DEPOSITORY.

THE Female Benevolent Society and Provident Association, having been enabled to extend their business, now offer to the public, a general assortment of

READY MADE CLOTHING, &c.

Such as Ladies' and Gentlemen's Cloaks; over Coats; Coated and Roundabouts; Vests; Pantalons and Drawers; Linen, Calico and Fannel Shirts; Cravats, Caps, Aprons, Sheets and Pillow-cases; Children's Clothing, and Comfortables of all sizes—offered wholesale and retail, at their room on Upper street, between Main and Water streets, near Norton's Drug Store.

Families having work to put out, will find it punctually attended to if sent to the Depository. Dec 13, 1838—50

NOTICE.

THE Partnership heretofore existing in the Mercantile business, between the undersigned, is this day dissolved by mutual consent. All those who are indebted to the late firm will make payment to JOHN P. BOWMAN, who will likewise settle claims against it.

J. P. BOWMAN,
SAMUEL DUNN.

Dec 13, 1838—50

HEMP SEED.

30 BAGS just received and for sale by B. F. CRUTCHFIELD, No 10, Main-st.

SHEET IRON.

A SMALL lot of Juniata Sheet Iron, suitable for Stove pipe, just received and for sale. B. F. CRUTCHFIELD, No 10, Main-st.

Dec 13, 1838—50

HOOP IRON.

A SMALL lot of Hoop Iron, just received and for sale. B. F. CRUTCHFIELD, No 10, Main-st.

Dec 13, 1838—50

Louisville Lottery.

Draws every Thursday at Louisville, Ky.

A CERTIFICATE of a Package of Quarters, Tickets, may be had from 15 to 20 Dollars, at

Dec 13. STREETER'S OFFICE, Lexington.

30,000 DOLLS.

KENTUCKY STATE

LOTTERY.

For the benefit of the Grand Lodge of Kentucky.

40,000 DOLLARS!

CLASS NO. 84, FOR 1838.

To be determined by the Drawing of the Alexandria Lottery, Class No. 8, for 1838.

To be drawn in the city of Alexandria, Va. on Saturday, December 15, 1838.

D. S. GREGORY & CO.—MANAGERS.

SPLENDID SCHEME.

1 Prize \$40,000 10 Prs. \$750

1 do 15,000 12 do 500

1 do 10,000 25 do 300

1 do 4,000 75 do 200

1 do 3,000 100 do 150

1 do 2,000 125 do 125

1 do 1,615 122 do 100

10 do 1,000

Tickets \$10—Shares in proportion.

\$20,000—\$5,000—\$3,000.

CLASS NO. 85, FOR 1838.

To be determined by the drawing of the Consolidated Lotteries of Maryland, Class No 21, for 1838.

To be drawn at Baltimore, Md. Wednesday, December 19, 1838.

D. S. GREGORY & CO.—MANAGERS.

SPLENDID SCHEME.

1 pr of \$20,000 20 prs \$1,000

1 do 5,000 20 do 300

1 do 3,000 20 do 150

1 do 2,000 155 do 100

1 do 1,640 63 do 50

Tickets \$5—Shares in proportion.

For sale by A. S. STREETER, Next door to the City Library, Dec. 13, 1838—46

LEXINGTON, KY.

BOOT AND SHOE MANUFACTORY.

R. OWENS would most respectfully inform the citizens of Lexington and the public generally, that he is now receiving, and intends to keep constantly on hand, a large assortment of DOUBLE SOLE FRENCH BOOTS—also a large lot of CORK SOLE BOOTS and SHOES. Also, a large assortment of coarse Men's and Children's Brogans, all of which he will sell as low for Cash, as any other house in the city. He invites the public to call and examine his stock, as he feels confident they cannot be surpassed.

RICHARD OWENS,
Main street, opposite Brennan's Hotel.
Lexington, Dec 13, 1838—50

FARM FOR SALE.

D. R. JOHN BROWNE, will sell his farm, situated on the Curd's Run, within five miles of Lexington. It contains

444 ACRES OF LAND.

Half of which is cleared—the other half is well supplied with timber, and set in Blue grass. It has a new Brick house on it, with abundance of never failing water in every field. There is no more desirable stock or hemp farm.

Terms to suit the purchaser.

JOHN BROWNE.
Dec 13, 1838—50

VALUABLE CITY PROPERTY.

I WISH to sell the House and Lot whereon I now reside, at the corner of High and Main cross street, also the saddler's shop on Main cross street, and the House and Lot opposite the residence of John Peck, on which is a pump of never failing water. It is deemed unnecessary to be particular in the description of those who may wish to purchase, would of course desire to examine for themselves.

The property is unencumbered, and a perfect title will be made the purchaser. For terms apply to

FRANCIS KRICKEL.

All indebted to me are requested to come forward and pay their accounts, and those who may have claims upon me, are desired to call and receive their dues as I am about to remove from the state.

FRANCIS KRICKEL.

Also, for Sale.

Two or three hundred HORSE COLLARS, WAGON HARNESS, WHIPS, &c. &c. very low, as I am determined to leave the state.

LEXINGTON, Oct. 11, 1838

CORDIALS.—A few cases Moriskind and assorted CORDIALS—just received.

B. F. CRUTCHFIELD,
Lexington, Nov 29, 1838. No 10, Main-st.

PRESERVED GINGER AND CITRON.

A few cases in fine order, and superior quality, just received and for sale.

B. F. CRUTCHFIELD,
Nov 29, 1838. No 10, Main-st.

A GOOD HOUSE-KEEPER.

WHO can produce unquestionable testimonials as to character and qualifications, can obtain a situation in a Boarding House, at a liberal salary, by applying to Dr. B. F. HALL, of Lexington. A middle aged Lady would be preferred.

Nov. 15, 1838.—46

BADEN CORN.

THE subscriber offers for sale a quantity of BADEN SEED CORN, carefully selected by a gentleman who procured the seed from Thomas N. Baden, of Maryland, last Spring. The Corn will be ready for delivery at any time after the 1st of January next, and will be forwarded to any place on the principal road in the state. Those in the vicinity of Lexington, who wish to procure seed corn, will call and leave their names. Those at a distance, may address me by letter, (postage paid) Price, \$3 per bushel, delivered at this place, exclusive of the bag or barrel containing it.

B. F. CRUTCHFIELD.
Lexington, Nov. 15, 1838—46

AN APPRENTICE WANTED.

TO learn the trade of a BLACKSMITH, a young man of 14 or 15 years of age, of good moral character, that can come well recommended, will meet with encouragement upon application to the subscriber, living 3 miles from Lexington, on the old Frankfort road.

Dec 1838—49

ROBERT BURNS.

LAW NOTICE.

L. B. SMITH,

INFORMS his friends and Clients, that his business during his absence to the Legislature, will be attended to by JOHN H. DOWN, 183. All business entrusted to his care will receive punctual attention.

Office, Upper-street, No. 3.
December 6, 1838—46

E. Perkins's Tavern.

Corner of Water and Mulberry Streets.

THE Subscriber respectfully informs the public generally, that he has taken the stand, formerly occupied by David Megowan, and more recently by Wm. Stoops, at the corner of Water and Mulberry streets, opposite the upper end of the Market House, and hopes by attention to business to receive a liberal share of public patronage.

HIS BAR IS WELL FURNISHED.

TABLE GOOD, BED ROOMS COMFORTABLE.

HORSES WELL ATTENDED TO.

And being well known himself through the State, he will not here make promises, but trusts that his endeavors to please will be crowned with success.

DAY AND WEEKLY BOARDERS well accommodated, on reasonable terms.

E. PERKINS.

N. B. I would inform the public that I am prepared with SCALES FOR WEIGHING WAGONS and THEIR CONTENTS.

where I will be happy to wait on those having weighing to be done.

E. PERKINS.

Lexington, Nov 29, 1838—46

JOHN M. MCALLA,

ATTORNEY AT LAW.

WILL practice in the Fayette Courts.

The collection of non-residents' claims promptly attended to.

